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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR 08-00487 JF
11)
Plaintiff,) STIPULATION AND [PROPOSED]
12 vs.) ORDER CONTINUING HEARING
13)
ROBERT ALAN THOMAS,)
14 Defendant.)
15 _____)

16 **STIPULATION**

17 The parties hereby stipulate and agree that the status hearing currently set for Wednesday,
18 December 3, 2008 may be continued to Wednesday, January 7, 2009 at 9:00 a.m. to permit the
19 defense to continue its investigation of potential defenses and mitigation issues. The parties
20 further stipulate and agree that 35 days may be excluded from the time within which trial shall
21 commence, as reasonable time necessary for effective defense preparation, pursuant to Title 18,
22 United States Code Section 3161(h)(8)(A) and (h)(8)(B)(iv).

23
24 Dated: December 1, 2008

25 s/ _____
MATTHEW J. BUZZELLI
26 DOJ Trial Attorney, Obscenity Prosecution Task Force

1 Dated: December 1, 2008

2
3 s/_____
CYNTHIA C. LIE
4 Assistant Federal Public Defender

5 **[PROPOSED] ORDER**

6 Good cause appearing and by stipulation of the parties, it is hereby ordered that the
7 sentencing hearing currently scheduled for Wednesday, December 3, 2008 shall be continued to
8 Wednesday, January 7, 2009 at 9:00 a.m.

9 It is further ordered that 35 days shall be excluded from the time within which trial shall
10 commence under the Speedy Trial Act, as the reasonable time necessary for effective defense
11 preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(8)(B)(iv).

12 Dated: December 8, 2008

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14 JEREMY FOGEL
United States District Judge